



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

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FINAL AIR QUALITY OPERATING PERMIT MINOR MODIFICATION

Issued by the Massachusetts Department of Environmental Protection ("MassDEP") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

ISSUED TO ["the Permittee"]:

Northeastern University
360 Huntington Avenue
Boston, Massachusetts 02115

FACILITY LOCATION:

Northeastern University
360 Huntington Avenue
Boston, Massachusetts 02115

NATURE OF BUSINESS:

Educational Institution - College

RESPONSIBLE OFFICIAL:

Name: Samuel B. Solomon
Title: Director of Finance and Treasurer

INFORMATION RELIED UPON:

Minor Modification (MM) Application No.
MBR-95-OPP-095RM3
Original Transmittal Nos. 116190 & W03497
MM Transmittal No. X253181

FACILITY IDENTIFYING NUMBERS:

| | |
|-------------|---------|
| AQ ID No. | 1190054 |
| FMF FAC No. | 10831 |
| FMF RO No. | 161706 |

Standard Industrial Classification (SIC): 8221

North American Industrial Classification
System (NAICS): 611310

FACILITY CONTACT PERSON:

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This Operating Permit shall expire on July 20, 2014.

For MassDEP, Bureau of Waste Prevention

This final document copy is being provided to you electronically by the
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James E. Belsky
Permit Chief

March 20, 2013
Date

This information is available in alternate format. Call Michelle Waters-Ekanem, Diversity Director, at 617-292-5751. TDD# 1-866-539-7622 or 1-617-574-6868
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SPECIAL CONDITIONS FOR OPERATING PERMIT

1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00:Appendix C and applicable rules and regulations, the Permittee is authorized to operate air emission units as shown in Table 1 and exempt and insignificant activities as described in 310 CMR 7.00:Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this Permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this Permit.

DESCRIPTION OF FACILITY AND OPERATIONS

Northeastern University ("the Permittee") is an educational institution. The facility is authorized to operate six (6) boilers that were subject to and regulated by the initial Operating Permit, an Operating Permit Renewal, and subsequent Operating Permit Minor Modifications. The Permittee also houses twenty-two (22) additional boilers and a total of twenty (20) emergency generators that are considered as emission units.

As described in the Original Operating Permit Application (MBR-95-OPP-095) and the Operating Permit Renewal (MBR-95-OPP-095R), Northeastern University states that it is not potentially major for single hazardous air pollutants (HAPs) nor total HAPs.

This Proposed Minor Modifications involves the inclusion of fossil fuel utilization equipment that is being added to the Operating Permit due to the purchase of a new building known as Hastings Hall. This equipment consists of two existing boilers which are listed in Table 1 as EU107 and EU108. In addition, the Permittee is also replacing the existing burners on EU66 and EU67 so that each new burner will be capable of firing natural gas as a maximum firing rate of 5,866 cubic feet per hour as the primary fuel and distillate fuel oil with a maximum sulfur content of less than or equal to 0.3 percent by weight at a maximum firing rate of 41.9 gallons per hours as the secondary fuel. The Permittee is proposing to incorporate the requirements from the NESHAPs for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJJ) to these two boilers, EU107 and EU108, as they have incorporated them for all other applicable boilers at the subject Facility. There will be a total of twenty-three (23) boilers that are subject to 40 CFR Part 63, Subpart JJJJJJ and eight (8) emergency generators that are subject to 40 CFR Part 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Stationary Reciprocating Internal Combustion Engines. Since the Permittee is an area source for HAPs and defined as an institution, compliance with 40 CFR Part 63, Subpart ZZZZ shall be met by complying with the requirements of 40 CFR Part 60, Subpart IIII, "Standards of Performance for Stationary Compression Ignition Internal Combustion Engines" and 40 CFR Part 60, Subpart JJJJ, "Standards of Performance for Stationary Spark Ignition Internal Combustion Engines". In addition, since the Permittee is defined as an institution, the existing engines (EU9, EU11, EU12,

EU15, EU16, EU17, EU18, EU19, EU32, EU34, EU35, and EU52) that were installed prior to June 12, 2006 are not subject to 40 CFR Part 63, Subpart ZZZZ due to an exemption specified under 40 CFR 63.6590(b)(3).

Facility requirements for applicable emission units are listed in the following tables:

Table 3 states the emission limits and restrictions; Table 4 states the monitoring and testing requirements; Table 5 states the record keeping requirements; Table 6 states the reporting requirements; and Table 7 states regulations to which the facility is not subject.

2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this Operating Permit:

| Table 1 | | | |
|---------------------|---|--------------------|--------------------------------|
| Emission Unit (EU#) | DESCRIPTION OF EMISSION UNIT | EU DESIGN CAPACITY | POLLUTION CONTROL DEVICE (PCD) |
| EU1 | Cleaver Brooks Model No. CB-500 Boiler | 20.925 MMBtu/hour | None |
| EU2 | Johnston Model No. PFTA-800-3H-150 Boiler | 32.426 MMBtu/hour | |
| EU3 | Johnston Model No. PFTA-800-3H-150 Boiler | 32.426 MMBtu/hour | |
| EU4 | Johnston Model No. PFTA-1000-4G-150S Boiler | 41.85 MMBtu/hour | |
| EU5 | Johnston Model No. PFTA-1000-4G-150S Boiler | 41.85 MMBtu/hour | |
| EU6 | Hurst Boiler | 42.00 MMBtu/hour | |
| EU9 | Onan 600 kW emergency generator | 6.1 MMBtu/hour | |
| EU11 | Onan 500 kW emergency generator | 5.3 MMBtu/hour | |
| EU12 | Caterpillar 350 kW emergency generator | 3.3 MMBtu/hour | |
| EU13 | Buderus boiler | 3.1 MMBtu/hour | |
| EU14 | Buderus boiler | 3.1 MMBtu/hour | |
| EU15 | Caterpillar 800 kW emergency generator | 8.0 MMBtu/hour | |
| EU16 | Cummins 400 kW emergency generator | 3.8 MMBtu/hour | |
| EU17 | Kohler 600 kW emergency generator | 6.1 MMBtu/hour | |
| EU18 | Caterpillar 1000 kW emergency generator | 9.6 MMBtu/hour | |
| EU19 | Onan 400 kW emergency generator | 4.0 MMBtu/hour | |
| EU20 | HB Smith #350 boiler | 3.2 MMBtu/hour | None |
| EU22 | Weil McLain H-1088-WS boiler | 3.1 MMBtu/hour | |
| EU24 | Weil McLain 2094 boiler | 6.9 MMBtu/hour | |
| EU25 | Weil McLain H-1094-S-W boiler | 3.3 MMBtu/hour | |
| EU26 | Weil McLain H-1494-S boiler | 4.7 MMBtu/hour | |
| EU27 | Weil McLain H-1194-S boiler | 3.3 MMBtu/hour | |
| EU29 | Weil McLain H-1292SN boiler | 3.6 MMBtu/hour | |
| EU30 | Weil McLain #1488 boiler | 3.3 MMBtu/hour | |
| EU31 | Weil McLain #1488 boiler | 4.2 MMBtu/hour | |
| EU32 | Caterpillar 500 kW emergency generator | 5.1 MMBtu/hour | |

| Table 1 | | | |
|---------------------|--|--------------------|--------------------------------|
| Emission Unit (EU#) | DESCRIPTION OF EMISSION UNIT | EU DESIGN CAPACITY | POLLUTION CONTROL DEVICE (PCD) |
| EU33 | Caterpillar 550 kW emergency generator | 5.7 MMBtu/hour | None |
| EU34 | Kohler 750 kW emergency generator | 6.5 MMBtu/hour | |
| EU35 | Onan 400 kW emergency generator | 3.8 MMBtu/hour | |
| EU50 | Caterpillar 750 kW emergency generator | 7.5 MMBtu/hour | |
| EU51 | Cummins 400 kW emergency generator | 3.82 MMBtu/hour | |
| EU52 | Caterpillar 300 kW emergency generator | 3.2 MMBtu/hour | |
| EU53 | Katolight 200 kW emergency generator | 2.17 MMBtu/hour | |
| EU54 | Katolight 50 kW emergency generator | 0.62 MMBtu/hour | |
| EU55 | Cummins 175 kW emergency generator | 2.1 MMBtu/hour | |
| EU56 | Cummins 100 kW emergency generator | 1.2 MMBtu/hour | |
| EU60 | Kohler 18 kW emergency generator | 0.28 MMBtu/hour | |
| EU66 | Burnham 3L175LBSPL boiler | 5.9 MMBtu/hour | |
| EU67 | Burnham 3L175LBSPL boiler | 5.9 MMBtu/hour | |
| EU100 | Weil Mclain boiler | 0.765 MMBtu/hour | |
| EU101 | Mills boiler | 0.695 MMBtu/hour | |
| EU102 | Weil Mclain boiler | 0.382 MMBtu/hour | |
| EU103 | Mills boiler | 0.765 MMBtu/hour | |
| EU104 | Weil Mclain boiler | 2.4 MMBtu/hour | |
| EU105 | Weil Mclain boiler | 0.3 MMBtu/hour | |
| EU106 | Weil Mclain boiler | 0.75 MMBtu/hour | |
| EU107 | Burnham boiler | 4.9 MMBtu/hour | |
| EU108 | HB Smith boiler | 4.9 MMBtu/hour | |

Legend to Abbreviated Terms within Table 1:

EU# = Emission Unit Number

MMBtu/hr = million British thermal units per hour

kW = kilowatt

3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following are considered exempt activities in accordance with the criteria contained in 310 CMR 7.00: Appendix C(5)(h):

| Table 2 | |
|--|-------------------------------|
| Description of Current Exempt Activities | Reason |
| The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12. | 310 CMR 7.00:Appendix C(5)(h) |

4. APPLICABLE REQUIREMENTS

A. EMISSION LIMITS AND RESTRICTIONS

The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

| Table 3 | | | | | |
|----------------------------------|---|--|-----------------|---|--|
| EU# | FUEL | RESTRICTIONS | POLLUTANT | EMISSION LIMIT/STANDARD ¹ | APPLICABLE REGULATION AND/OR APPROVAL NO. |
| EU1, EU2, EU3 | natural gas | NA | NOx | ≤30 ppmvd, corrected to 3% O ₂ | MBR-91-COM-017B |
| | | | CO | ≤0.04 lb/MMBtu | |
| | | | PM | ≤0.10 lb/MMBtu | MBR-83-COM-090 (EU1) MBR-88-COM-033 (EU2,EU3) 310 CMR 7.02(8) |
| | No.2 fuel oil ≤0.05% S by wt. | | NOx | ≤150 ppmvd, corrected to 3% O ₂ | MBR-91-COM-017B |
| | | | CO | ≤0.04 lb/MMBtu | |
| | | | PM | ≤0.10 lb/MMBtu | MBR-83-COM-090 (EU1) MBR-88-COM-033 (EU2,EU3) 310 CMR 7.02(8) |
| | | Sulfur in Fuel | ≤0.05% S by wt. | MBR-91-COM-017B | |
| | EU4, EU5 | natural gas | NA | NOx | ≤30 ppmvd, corrected to 3% O ₂ |
| CO | | | | ≤0.04 lb/MMBtu | |
| PM | | | | ≤0.10 lb/MMBtu | 310 CMR 7.02(8)(h) |
| No.2 fuel oil ≤0.05% S by wt. | | ≤442,760 gallons of usage (≤730 hours of operation) in any consecutive 12 month period | NOx | ≤150 ppmvd, corrected to 3% O ₂ | MBR-91-COM-017B |
| | | | CO | ≤0.04 lb/MMBtu | |
| | | | EU4, EU5 | No.2 fuel oil ≤0.05% S by wt. | ≤442,760 gallons of usage (≤730 hours of operation) in any consecutive 12 month period |
| Opacity | ≤ 20%, except for one 6-minute period per hour ≤ 27% | 40 CFR Part 60, Subpart Dc | | | |
| Sulfur in Fuel | ≤0.05% S by wt. | MBR-91-COM-017B | | | |
| EU6 | natural gas | NA | NOx | ≤0.011 lb/MMBtu | MBR-04-COM-005 |
| | | | CO | ≤0.0185 lb/MMBtu | 40 CFR Part 60, Subpart Dc |
| | | | PM | ≤0.0033 lb/MMBtu | |
| | | | VOC | ≤0.0012 lb/MMBtu | |
| | | | SO ₂ | ≤0.001 lb/MMBtu | |

| Table 3 | | | | | |
|---|-------------------------------------|---|------------------|--|---|
| EU# | FUEL | RESTRICTIONS | POLLUTANT | EMISSION LIMIT/STANDARD¹ | APPLICABLE REGULATION AND/OR APPROVAL NO. |
| | | | Opacity | ≤ 10% at any given time | |
| EU6 | No.2 fuel oil ≤0.003% S by wt. | ≤323,244 gallons of usage in any consecutive 12 month period | NOx | ≤0.10 lb/MMBtu | MBR-04-COM-005 40 CFR Part 60, Subpart Dc |
| | | | CO | ≤0.117 lb/MMBtu | |
| | | | PM | ≤0.014 lb/MMBtu | |
| | | | VOC | ≤0.004 lb/MMBtu | |
| | | | SO ₂ | ≤0.008 lb/MMBtu | |
| | | | Opacity | ≤ 10% at any given time | |
| | | | Sulfur in Fuel | ≤0.003% S by wt. | MBR-04-COM-005 |
| EU1, EU2, EU3, EU4, EU5, EU6 | natural gas | NA | HAPs | As required in § 63.11205, at all times operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. | 40 CFR Part 63, Subpart JJJJJ |
| | See above for fuel oil requirements | | | As required in § 63.11201, §63.11214 and Table 2 to Subpart JJJJJ, conduct tune-up of boiler biennially as specified in § 63.11223(b)(1) through (7) | 40 CFR Part 63, Subpart JJJJJ |
| | | | | As required in § 63.11201 and Table 2 to Subpart JJJJJ, conduct an energy assessment audit | 40 CFR Part 63, Subpart JJJJJ Compliance date: March 21, 2014 |
| | | | | | |
| EU9, EU11, EU12, EU15, EU16, EU17, EU18, EU19, EU32, EU34, EU35, EU52 | ULSD ≤0.0015% S by wt. | ≤300 operating hours each unit in any consecutive 12 month period | NA | NA | 310 CMR 7.03(10)(a) 40 CFR 63.6590(b)(3) |
| | | | Sulfur in Fuel | ≤0.0015% S by wt. | 310 CMR 7.03(10)(b) 310 CMR 7.05(1)(a)3 40 CFR 80.29, 40 CFR 80.500, and 40 CFR 80.520(a) and (b) |
| EU33, EU50, EU51, EU53, EU54, EU55, EU56 | ULSD ≤0.0015% S by wt. | ≤300 operating hours each unit in any consecutive 12 month period | Sulfur in Fuel | ≤0.0015% S by wt. | 310 CMR 7.26(42) 310 CMR 7.05(1)(a)3 40 CFR 80.29, 40 CFR 80.500, and 40 CFR 80.520(a) and (b) 40 CFR 60.4209(a) |

| Table 3 | | | | | |
|---|---|---|------------------------|--|--|
| EU# | FUEL | RESTRICTIONS | POLLUTANT | EMISSION LIMIT/STANDARD¹ | APPLICABLE REGULATION AND/OR APPROVAL NO. |
| | | | NO _x | 9.2 g/KW-hr | 40 CFR 89.112(a) |
| EU33, EU50, EU51, EU53, EU55 | ULSD ≤0.0015% S by wt. | ≤300 operating hours each unit in any consecutive 12 month period | HC | 1.3 g/KW-hr | 40 CFR 63.6590(c), 40 CFR 60.4202(a), 40 CFR 89.112(a), 40 CFR 60.4211(f), 40 CFR 60.4207(b), 40 CFR 80.510(b) |
| EU53, EU55, EU56 | | | NMHC + NO _x | 4.0 g/KW-hr | |
| EU54 | | | NMHC + NO _x | 4.7 g/KW-hr | |
| EU33, EU50, EU51 | | | | 6.4 g/KW-hr | |
| EU33, EU50, EU51, EU53, EU55 | | | CO | 3.5 g/KW-hr | |
| EU54, EU56 | | | | 5.0 g/KW-hr | |
| EU33, EU50, EU51, EU53, EU55, | | | PM | 0.2 g/KW-hr | |
| EU56 | | | | 0.3 g/KW-hr | |
| EU54 | | | | 0.4 g/KW-hr | |
| EU60 | natural gas only | ≤300 operating hours each unit in any consecutive 12 month period | NA | NA | 40 CFR 63.6590(c), 40 CFR 90.103 |
| EU20, EU24, EU25, EU26, EU27 | natural gas only | NA | PM | ≤0.10 lb/MMBtu | 310 CMR 7.02(8)(h) 310 CMR 7.04(4)(a) |
| EU13, EU14, EU22, EU66, EU67, EU104, EU105, EU106 | natural gas (primary fuel) | NA | PM | ≤0.10 lb/MMBtu | 310 CMR 7.02(8)(h) 310 CMR 7.04(4)(a) |
| | No.2 fuel oil ≤0.3% S by wt. (secondary fuel) | NA | Sulfur in Fuel | ≤0.3% S by wt. | 310 CMR 7.05(1)(a)(2) |
| | | | HAPs | As required in § 63.11205, at all times operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. As required in § 63.11201, §63.11214 and Table 2 to Subpart JJJJJ, conduct tune-up of boiler biennially as specified | 40 CFR Part 63, Subpart JJJJJ |

| Table 3 | | | | | |
|--|--|--------------|----------------|--|---|
| EU# | FUEL | RESTRICTIONS | POLLUTANT | EMISSION LIMIT/STANDARD ¹ | APPLICABLE REGULATION AND/OR APPROVAL NO. |
| | | | | in § 63.11223(b)(1) through (7) | |
| EU13, EU14, EU22, EU66, EU67, EU104, EU105, EU106 | natural gas (primary fuel) No.2 fuel oil ≤0.3% S by wt. (secondary fuel) | NA | All | Conduct a tune-up of the boiler biennially as specified in section 63.11223 ^{3,4} . Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. | 40 CFR 63.11201(b) |
| EU29, EU30, EU31, EU100, EU101, EU102, EU103, EU107, EU108 | No.2 fuel oil only ≤0.3% S by wt. | NA | PM | ≤0.10 lb/MMBtu | 310 CMR 7.02(8)(h) 310 CMR 7.04(4)(a) |
| | | | Sulfur in Fuel | ≤0.3% S by wt. | 310 CMR 7.05(1)(a)(2) |
| | | | HAPs | As required in § 63.11205, at all times operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. | 40 CFR Part 63, Subpart JJJJJ |
| | | | | As required in § 63.11201, §63.11214 and Table 2 to Subpart JJJJJ, conduct tune-up of boiler biennially as specified in § 63.11223(b)(1) through (7) | |
| | | | All | Conduct a tune-up of the boiler biennially as specified in section 63.11223 ^{3,4} . Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. | 40 CFR 63.11201(b) |
| Facility-wide | NA | NA | Single HAP | < 3.0 tons per month and < 9.0 tons per twelve month rolling period | Operating Permit Renewal Application Transmittal No. W059861 |
| | | | Total HAPs | < 8.0 tons per month and < 24 tons per twelve month rolling period | |
| | | | Visible | < No. 1 of Chart ² , except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour | 310 CMR 7.06(1)(a) |
| | | | Opacity | ≤ 20%, except 20% to ≤40% for ≤ 2 minutes during any one hour | |

Table 3 Key:

EU# = Emission Unit number
S by wt. = sulfur by weight
lb/MMBtu = pound per million British thermal units
lb/hr = pound per hour
ppm = parts per million
ppmvd = parts per million, dry volume
g/bhp-hr = grams per brake horse power hour
g/KW-hr = grams per kilowatt hour
kg/hr = kilograms per hour
O₂ = oxygen
NO_x = oxides of nitrogen
CO = carbon monoxide
PM = particulate matter
SO₂ = sulfur dioxide
VOC = volatile organic compounds
HC = hydrocarbons
NMHC + NO_x = non-methane hydrocarbons plus oxides of nitrogen
% = percent
< = less than
≤ = less than or equal to
NA = not applicable
ULSD = ultra-low sulfur transportation diesel No. 2 fuel oil
HAP = hazardous air pollutant
HAPs = hazardous air pollutants

Table 3 Notes:

- 1 Compliance with emission limits/standards shall be based on a 1 hour block averaging time.
- 2 Chart means the Ringelmann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by MassDEP.
- 3 40 CFR 63.11223(b) states; You must conduct a tune-up of the boiler biennially to demonstrate continuous compliance as specified in paragraphs (b)(1) through (5) and (7) of this section.
 - (1) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown, but you must inspect each burner at least once every 36 months).
 - (2) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.
 - (3) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly.
 - (4) Optimize total emissions of carbon monoxide. This optimization should be consistent with the manufacturer's specifications, if available.
 - (5) Measure the concentrations in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurement may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made).
 - (7) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within one week of startup.

- 4 In accordance with 40 CFR 63.11205(a), you must operate and maintain any affected source at all times, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring/testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C (9) and (10) and applicable requirements contained in Table 3:

| Table 4 | |
|----------------------|--|
| EMISSION UNIT | MONITORING/TESTING REQUIREMENTS |
| EU4, EU5 | 1) Monitor No.2 transportation diesel fuel oil ($\leq 0.05\%$ S by weight) usage as fired to verify compliance with the applicable fuel restriction of less than 442,760 gallons per twelve month period as referenced in Conditional Approval MBR-91-COM-017B, dated June 30, 1993. |
| | 2) Calibrate, maintain, and operate a fuel oil metering device for each subject boiler so that fuel oil usage can be recorded for each subject boiler, as referenced in Conditional Approval MBR-91-COM-017B, dated June 30, 1993. |
| EU6 | 3) Monitor ultra-low sulfur transportation diesel (ULSD) No.2 fuel oil ($\leq 0.003\%$ S by weight) usage as fired to verify compliance with this fuel restriction of less than 323,244 gallons per twelve month period as referenced in Conditional Approval MBR-04-COM-005, dated June 16, 2004. |
| | 4) Calibrate, maintain, and operate a fuel-metering device and recorder for each fuel of use for the subject boiler so that fuel usage can be recorded for the subject boiler, as referenced in Approval MBR-04-COM-005, Proviso No. B.4.a). |
| | 5) In accordance with Approval MBR-04-COM-005, monitor fuel purchases receipts and fuel usage logs which reflect actual fuel usage on a weekly basis as well as the amount of time and the monthly totals of fuel usage and resulting emissions from each type of fuel burned, the actual sulfur content of the fuel oil used, and the total fuel usage and resulting emissions from each type of fuel burned for the previous twelve months. As referenced in Approval MBR-04-COM-005, Proviso No. B.5, for the purposes of calculating emissions resulting from each fuel burned, the following values shall be used: Natural Gas: 1,000 Btu per cubic foot ULSD: 140,000 Btu per gallon |
| | 6) As referenced in Approval MBR-04-COM-005, monitor when this EU switches to ULSD, including the date and time of the fuel switch, the duration of the fuel switch, the amount of ULSD consumed during each fuel switch, and the date and time for return to natural gas firing. |

| Table 4 | |
|------------------------------|--|
| EMISSION UNIT | MONITORING/TESTING REQUIREMENTS |
| EU6 | 7) Conduct NO _x /CO optimization and tune the boiler according to procedures contained in EPA 340/1-83-023 "Combustion Efficiency Optimization Manual for Operators of Oil and Gas Fired Boilers" with the goal of reducing air pollutant emissions to optimum levels. In addition, NU shall tune the boiler in accordance with said procedures and inspect and maintain said boiler per manufacturer recommendations as well as test for efficient operation on an annual basis, as referenced in Approval MBR-04-COM-005, Proviso B.4.e). The results of said inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near the subject equipment. Allow MassDEP to witness tuning of the boiler if and when requested by MassDEP as referenced in Approval MBR-04-COM-005, Proviso B.11. |
| | 8) Install, calibrate, maintain, and operate a fuel-metering device for each fuel of use for the subject boiler so that its total fuel usage can be recorded; as referenced in Approval MBR-04-COM-005, Proviso B.4.a). |
| | 9) That for compliance testing purposes, the subject boiler shall be constructed so as to accommodate the emissions testing requirements as stipulated in 40 CFR Part 60, Appendix A. The two outlet sampling ports (90 degrees apart from each other) for the subject boiler must be located at a minimum of one duct diameter upstream and two duct diameters downstream of any flow disturbance, as referenced in Approval MBR-04-COM-005, Proviso B.6. |
| EU4, EU5, EU6 | 10) Measure for each unit the amounts of each fuel combusted during each month as provided in 40 CFR 60.48c(g)(2) incorporated herein by reference. |
| | 11) Compliance with the fuel oil sulfur limits under 40 CFR 60.42c may be determined based on a certification from the fuel supplier as provided in 40 CFR 60.42c(h) incorporated herein by reference. As provided by 40 CFR 60.48c(e)(11), said certification shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, 89, 90, 92, 96, 98, "Standard Specification for Fuel Oils" incorporated herein by reference. |
| | 12) In accordance with 40 CFR 60.42c(h), compliance with the SO ₂ emission limits or fuel oil sulfur limits under 40 CFR 60.42c(d) and 40 CFR 60.42c(i) may be demonstrated based on a certification from the fuel supplier. The performance test as required under 40 CFR 60.8 shall consist of the certification from the fuel supplier as described under 40 CFR 60.48c(f). As stated under 40 CFR 60.48c(f)(1) for affected facilities that combust distillate oil, said certification shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; more specifically, that the oil complies with specifications for Fuel Oil No. 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, 89, 90, 92, 96, and 98 "Standard Specification for Fuel Oils" (incorporated herein by reference-see 40 CFR 60.17). Comply with applicable monitoring requirements in 40 CFR 60.48c(e)2 through (10). |
| EU1, EU2, EU3, EU4, EU5, EU6 | 13) Monitor smoke density equipment data in accordance with 310 CMR 7.04(2). |
| | 14) Demonstrate compliance with 310 CMR 7.19 by monitoring all data relevant to 310 CMR 7.19(6)(a). This monitoring shall include, but not be limited to tune-ups, adjustments, and verification of set-points. |
| | 15) Monitor at least once per month that settings determined during the tune-up have not changed as per 310 CMR 7.19(6)(b)2.g. |

| Table 4 | |
|---|---|
| EMISSION UNIT | MONITORING/TESTING REQUIREMENTS |
| EU1, EU2, EU3, EU4, EU5, EU6 | <p>16) As required in § 63.11201, §63.11214 and Table 2 to Subpart JJJJJJ, perform a one-time energy assessment by a qualified energy assessor. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy assessment requirements herein satisfies the energy assessment requirement. The energy assessment must include:</p> <ol style="list-style-type: none"> (1) A visual inspection of the boiler system, (2) An evaluation of operating characteristics of the facility, specifications of energy using systems, operating and maintenance procedures, and unusual operating constraints, (3) Inventory of major systems consuming energy from affected boiler(s), (4) A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage, (5) A list of major energy conservation measures, (6) A list of the energy savings potential of the energy conservation measures identified, (7) A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments. <p>The energy assessment must be completed by March 21, 2014.</p> |
| EU1, EU2, EU3, EU4, EU5, EU6, EU13, EU14, EU22, EU29, EU30, EU31, EU66, EU67, EU100, EU101, EU102, EU103, EU104, EU105, EU106, EU107, EU108 | <p>17) As required in § 63.11201, §63.11214 and Table 2 to Subpart JJJJJJ, conduct tune-up of boiler biennially as specified in § 63.11223(b)(1) through (7). Also in accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11223(b)(5), measure the concentration in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the required biennial tune-up. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up.</p> <p>18) In accordance with 40 CFR 63.11210(c), for existing boilers that have applicable work practice standards, management practices of emission reduction measures, you must demonstrate initial compliance according to the applicable provisions in 40 CFR 63.7(a)(2).</p> |
| EU1, EU2, EU3, EU4, EU5, EU6, EU13, EU14, EU20, EU22, EU24, EU25, EU26, EU27, EU29, EU30, EU31, EU66, EU67, EU107, EU108 | <p>19) In accordance with 310 CMR 7.04(4)(a), inspect and maintain fuel utilization facility in accordance with manufacturer's recommendations and test for efficient operation at least annually.</p> |
| EU9, EU11, EU12, EU15, EU16, EU17, EU18, EU19, EU32, EU34, EU35, EU52 | <p>20) In accordance with 310 CMR 7.03(10), monitor the consumption of diesel fuel oil ($\leq 0.0015\%$ S by weight) and the hours of operation for each EU to verify compliance with the restriction of less than 300 hours per twelve month period.</p> |
| EU33, EU50, EU51, EU53, EU54, EU55, EU56 | <p>21) In accordance with 310 CMR 7.26(42), monitor the consumption of diesel fuel oil ($\leq 0.0015\%$ S by weight) and the hours of operation for each EU to verify compliance with the restriction of less than 300 hours per twelve month period.</p> |

| Table 4 | |
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| EMISSION UNIT | MONITORING/TESTING REQUIREMENTS |
| EU33, EU50, EU51, EU53, EU54, EU55, EU56 | 22) A non-turnback hour counter shall be installed, operated, and maintained in good working order to monitor operating hours as referenced in Regulation 310 CMR 7.26(42)(d)1. |
| | 23) In accordance with 310 CMR 7.26(42)(e)2., MassDEP may require emission or other monitoring to assure compliance with the requirements of 310 CMR 7.26(42). |
| | 24) In accordance with 310 CMR 7.26(42)(e)3., any testing when required shall comply with the following: <ul style="list-style-type: none"> a. Tests to certify compliance with emission limitations must be performed in accordance with EPA Reference Methods, California Air Resources Board Methods approved by EPA, or equivalent methods as approved by MassDEP and EPA. b. Particulate matter from liquid fuel reciprocating engines shall be determined using Method 8178 D2 of the International Organization of Standardization. c. Testing shall be conducted at the full design load of the emergency engine. MassDEP may require emission or other testing to assure compliance with the emission limitations or fuel requirements. |
| Facility-wide | 25) Monitor facility operations such that compliance with the restrictions and emission limitations/standards contained in Table 3 of this Permit can be determined in accordance with 310 CMR 7.00 Appendix C(9)(b)2. |
| | 26) Conduct Emissions Compliance Testing (Stack Testing), in accordance with 310 CMR 7.13, 310 CMR 7.19(13)(c), 40 CFR Part 60, Appendix A (Method 7E for NO _x , Methods 1 to 5 for PM, Method 3A for Oxygen (O ₂)), and Conditional Approval MBR-91-COM-017B, dated June 30, 1993, or any other testing if and when requested by MassDEP or EPA. |
| | 27) In accordance with 310 CMR 7.00: Appendix C(9)(b)2., monitor sulfur content of each new shipment of No.2 Fuel Oil received. Compliance with sulfur content can be demonstrated through testing or maintaining a shipping receipt from the fuel supplier. The shipment certification or testing of sulfur content of No.2 Fuel Oil shall be in accordance with the applicable American Society for Testing Materials (ASTM) test methods or any other method approved by MassDEP and EPA. |
| | 28) Opacity shall be determined in accordance with EPA Test Method 9, as specified in 40 CFR Part 60, Appendix A, if and when requested by MassDEP or EPA. This method shall also apply to any detached plumes. |
| | 29) Monitor operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12. |
| | 30) Monitor operations such that information may be compiled for the submittal of Greenhouse Gas Reporting Requirements in accordance with 310 CMR 7.71. |

| Table 5 | |
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| EMISSION UNIT | RECORD KEEPING REQUIREMENTS |
| EU4, EU5 | 1) Maintain monthly reports that list No.2 transportation diesel fuel oil ($\leq 0.05\%$ S by weight) usage as fired to verify compliance with the fuel restriction as referenced in Conditional Approval MBR-91-COM-017B, dated June 30, 1993. |
| | 2) Maintain records, for a period of the five most recent years, of the amounts of each fuel combusted in each emission unit (EU4 and EU5) each month as provided in 40 CFR 60.48c(g)(2) incorporated herein by reference. |
| EU6 | 3) Monitor and record No.2 transportation diesel fuel oil ($\leq 0.003\%$ S by weight) usage as fired to verify compliance with the fuel restriction as referenced in Conditional Approval MBR-04-COM-005, dated June 16, 2004. |
| | 4) Maintain records, for a period of the five most recent years, of the amounts of each fuel combusted in EU6 each month as provided in 40 CFR 60.48c(g)(2) incorporated herein by reference. |
| | 5) Keep ongoing records for the boiler that include the amount of time the subject boiler is operated and fuel purchases receipts and fuel usage logs which reflect actual fuel usage on a weekly basis. Said fuel usage logs shall also contain: monthly totals of fuel usage and resulting emissions from each type of fuel burned, the actual sulfur content of the fuel oil used, and the total fuel usage and resulting emissions from each type of fuel burned for the previous twelve months, as referenced in Approval MBR-04-COM-005, Proviso No. B.4.f). |
| | 6) Maintain adequate records on site, which document the number of gallons of ULSD that this EU has utilized in each twelve month rolling calendar period, as referenced in Approval MBR-04-COM-005, Proviso No. B.4.g). |
| | 7) As referenced in Approval MBR-04-COM-005, record when this EU switches to ULSD, including the date and time of the fuel switch, the duration of the fuel switch, the amount of ULSD consumed during each fuel switch, and the date and time for return to natural gas firing. |
| | 8) Documentation from the equipment manufacturer shall be maintained on site that the subject boiler and its appurtenances as designed and installed shall comply with the pounds per million Btu emission limits in Table 3 of this Permit when operated in accordance with the manufacturer's instructions as referenced in Approval MBR-04-COM-005, Proviso No. B.4.d). |
| EU1, EU2, EU3, EU4, EU5, EU6, EU13, EU14, EU20, EU22, EU24, EU25, EU26, EU27, EU29, EU30, EU31, EU66, EU67, EU107, EU108 | 9) In accordance with 310 CMR 7.04(4)(a), maintain results of fuel utilization facility inspection, maintenance, and testing and the date upon which it was performed. |
| EU1, EU2, EU3, EU4, EU5, EU6 | 10) Maintain records of smoke density equipment data in accordance with 310 CMR 7.04(2). For each period of excess opacity, the Permittee shall record the duration, cause, the response taken, and the amount of excess opacity. |
| | 11) Maintain records of all monitoring data relevant to 310 CMR 7.19(6)(b), including but not limited to, tune-ups, adjustments, and verification of set points. |
| | 12) Maintain a copy of the Notification of Compliance Status that was submitted in accordance with 40 CFR 63.11225(a)(4) and in accordance with §63.9(h). In addition to the information required in §63.9(h)(2), your notification must include the following certification of compliance, and signed by a responsible official: "This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boiler." and "This facility has had an energy assessment performed according to §63.11214(c)". |

| Table 5 | |
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| EMISSION UNIT | RECORD KEEPING REQUIREMENTS |
| EU4, EU5, EU6 | 13) In accordance with 40 CFR 60.48c(b), maintain records of COMS data, performance tests under 40 CFR 60.8, any subsequent performance tests as requested by EPA, and performance evaluations of the COMS using applicable Performance Specifications of 40 CFR 60, Appendix B. |
| | 14) In accordance with 40 CFR 60.48c(e)(11) and 40 CFR 60.48c(f)(1), maintain records of fuel supplier certifications to demonstrate compliance with the SO ₂ emission limits or fuel oil sulfur limits under 40 CFR 60.42c(d) and 40 CFR 60.42c(i). Said certifications shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; more specifically, that the oil complies with specifications for Fuel Oil No. 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, 89, 90, 92, 96, and 98 "Standard Specification for Fuel Oils" (incorporated herein by reference-see 40 CFR 60.17). Comply with applicable record keeping requirements in 40 CFR 60.48c(e)2 through (10). |
| | 15) In accordance with 40 CFR 60.48c(g)(2), maintain records of the amounts of each fuel combusted. |
| EU1, EU2, EU3, EU4, EU5, EU6, EU13, EU14, EU22, EU29, EU30, EU31, EU66, EU67, EU100, EU101, EU102, EU103, EU104, EU105, EU106, EU107, EU108 | 16) In accordance with 40 CFR Part 63.11223(6), maintain on-site biennial reports containing the following: <ul style="list-style-type: none"> (i) the concentrations of the CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler (ii) a description of any corrective actions taken as a part of the tune-up of the boiler, and (iii) the type and amount of fuel used over the 12 months prior to the biennial tune-up of the boiler. |
| | 17) In accordance with 40 CFR §63.11225(b), maintain adequate records so that the Permittee shall prepare a biennial compliance report including (1) company name and address, (2) statement by a responsible official, with the official's name, title, phone number, e-mail address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart, and (3) if the source experiences any deviations from the applicable requirements during the reporting period, including a description of deviations, the time periods during which the deviations occurred, and the corrective actions taken. Maintain adequate records such that the first Biennial Compliance Certification Report shall be prepared by March 1, 2015 with subsequent reports prepared biennially by March 1 st . |
| | 18) In accordance with 40 CFR Part 63.11225(c)(1) and as required in §63.10(b)(2)(xiv), keep a copy of each notification and report that you submitted to comply with this subpart and all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted. |
| | 19) In accordance with 40 CFR Part 63.11225(c)(2)(i), keep records to document conformance with the work practices, emission reduction measures, and management practices required by §63.11214. Records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned. |
| | 20) In accordance with 40 CFR Part 63.11225(c)(2)(ii), keep records documenting the fuel type(s) used monthly by each boiler, including, but not limited to, a description of the fuel, including whether the fuel has received a non-waste determination by you or EPA, and the total fuel usage amount with units of measure. |
| | 21) In accordance with 40 CFR Part 63.11225(c)(4), keep records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment. |
| | 22) In accordance with 40 CFR Part 63.11225(c)(5), keep records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in §63.11205(a), including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation. |
| | 23) Maintain records of the performance tune-up required by 40 CFR 63.11214(b), such that compliance with this regulation may be demonstrated and the required reporting may be submitted. |

| Table 5 | |
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| EMISSION UNIT | RECORD KEEPING REQUIREMENTS |
| | 24) In accordance with 40 CFR 63.11223(a), keep records as required in §63.11225(c). |
| EU1, EU2, EU3, EU4, EU5, EU6, EU13, EU14, EU22, EU29, EU30, EU31, EU66, EU67, EU100, EU101, EU102, EU103, EU104, EU105, EU106, EU107, EU108 | 25) In accordance with 40 CFR 63.11225(d), your records must be in a form suitable and readily available for expeditious review, according to §63.10(b)(1). As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each recorded action. |
| EU9, EU11, EU12, EU15, EU16, EU17, EU18, EU19, EU32, EU34, EU35, EU52 | 26) In accordance with 310 CMR 7.03(10), maintain records on the consumption of diesel fuel oil ($\leq 0.0015\%$ S by weight) and the hours of operation for each EU to verify compliance with the restriction of less than 300 hours per twelve month period. |
| EU33, EU50, EU51, EU53, EU54, EU55, EU56 | 27) In accordance with 310 CMR 7.26(42), monitor the consumption of diesel fuel oil ($\leq 0.0015\%$ S by weight) and the hours of operation for each EU to verify compliance with the restriction of less than 300 hours per twelve month period. |
| | 28) In accordance with 310 CMR 7.26(42)(f), maintain the following records; <ol style="list-style-type: none"> 1. Information on equipment type, make and model, and rated power output; and 2. A monthly log of hours of operation, fuel type, heating value and sulfur content for fuel oil. A monthly calculation of the total hours operated in the previous 12 months; and 3. Purchase orders, invoices, and other documentation to substantiate information in the monthly log; and 4. Copies of certificates and documents from the manufacturer related to certificates. <p>Such records shall be maintained on site or for remote locations, at the closest facility where records can be maintained and shall be made available to MassDEP or its designee upon request. The owner or operator shall certify that records are accurate and true in accordance with 310 CMR 7.01(2)(a) through (c). These records may be stored electronically as considered acceptable by MassDEP.</p> |
| Facility-wide | 29) In accordance with 310 CMR 7.00: Appendix C(10)(b), maintain records of all monitoring data and supporting information required by this Operating Permit on site for five (5) years from the date of the monitoring sample, measurement, report or initial Operating Permit Application. |
| | 30) Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., maintain records to verify that compliance with the emission limitations in Table 3 of this Permit is maintained. |
| | 31) The results of the required inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near each fuel utilization facility having an energy input capacity of ≥ 3 MMBtu/hr, as provided in 310 CMR 7.04(4)(a) incorporated herein by reference. Said records shall be maintained on site for a period of the five most recent years. Note: 310 CMR 7.04(4)(a) does not apply to emergency engines. |

| Table 5 | |
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| EMISSION UNIT | RECORD KEEPING REQUIREMENTS |
| Facility-wide | 32) Maintain the test results of any Emissions Compliance Testing (Stack Testing) performed in accordance with 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A (Method 7E for NO _x , Methods 1 to 5 for PM, Method 3A for Oxygen (O ₂)) or of any other testing required by MassDEP or EPA. |
| | 33) Maintain No.2 Fuel Oil testing results and/or purchase receipts in order to demonstrate compliance with fuel sulfur content requirements as provided in 310 CMR 7.05(1)(a). |
| | 34) Maintain records of any EPA Test Method 9 opacity determinations performed according to 40 CFR Part 60, Appendix A, including detached plumes, required by MassDEP or EPA. |
| | 35) Maintain records of facility operations such that information may be reported as required for compliance with 310 CMR 7.12. Keep copies of all information supplied to MassDEP pursuant to 310 CMR 7.12 on site for five (5) years after the date the report is submitted. |
| | 36) Maintain records of facility operations such that information may be reported as required for compliance with 310 CMR 7.71. Keep copies of all information supplied to MassDEP in this regards to Greenhouse Gas Reporting on site for five (5) years after the date the report is submitted. |

| Table 6 | |
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| EMISSION UNIT | REPORTING REQUIREMENTS |
| EU4, EU5 | 1) Submit to MassDEP an annual written report by January 15th of the year following the year of record, which states the usage of No.2 transportation diesel fuel oil as referenced in Conditional Approval MBR-91-COM-017B, dated June 30, 1993. |
| EU4, EU5, EU6 | 2) In accordance with 40 CFR 60.48c(b), an affected facility subject to the opacity standards under 40 CFR 60.43c(c) and 40 CFR 60.43c(d) shall submit to EPA the COMS performance data from the initial performance test as required under 40 CFR 60.8 and any subsequent performance tests as requested by EPA, including performance evaluations of the COMS using applicable Performance Specifications of 40 CFR 60, Appendix B. |
| | 3) In accordance with 40 CFR 60.48c(d), an affected facility subject to the SO ₂ emission limits or fuel oil sulfur limits under 40 CFR 60.42c(d) and 40 CFR 60.42c(i) shall submit to EPA and to MassDEP semi-annual reports in accordance with 40 CFR 60.48(j). Each report shall be postmarked by the 30 th day following the end of the reporting period. The report shall contain calendar dates covered in the reporting period as per 40 CFR 60.48c(e)(1) and records of fuel supplier certifications as per 40 CFR 60.48c(e)(11) and 40 CFR 60.48c(f)(1). In addition to records of fuel supplier certifications, the semi-annual reports shall include a certified statement signed by the responsible official of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the previous six month period. Said certifications shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; more specifically, that the oil complies with specifications for Fuel Oil No. 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, 89, 90, 92, 96, 98, "Standard Specification for Fuel Oils" (incorporated herein by reference-see 40 CFR 60.17). |
| | 4) Submit any other required information to EPA and MassDEP to comply with 40 CFR 60.48c. |
| EU1, EU2, EU3, EU4, EU5, EU6 | 5) In accordance with 310 CMR 7.19(13)(d)9., submit compliance records within ten (10) days of written request by MassDEP or EPA. |
| | 6) Submit Emissions Compliance Testing (Stack Testing) reports in accordance with 310 CMR 7.19(13)(c). |

| Table 6 | |
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| EMISSION UNIT | REPORTING REQUIREMENTS |
| | 7) In accordance with 40 CFR 63.11225(a)(4), you must submit the Notification of Compliance Status in accordance with §63.9(h) no later than July 19, 2012. In addition to the information required in §63.9(h)(2), your notification must include the following certification of compliance, and signed by a responsible official: "This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boiler." and "This facility has had an energy assessment performed according to §63.11214(c)". |
| EU1, EU2, EU3, EU4, EU5, EU6, EU13, EU14, EU22, EU29, EU30, EU31, EU66, EU67, EU100, EU101, EU102, EU103, EU104, EU105, EU106, EU107, EU108 | 8) In accordance with 40 CFR 63.11214(b), submit a signed statement in the Notification of Compliance Status report that indicates that you conducted a tune-up of each boiler. 9) In accordance with 40 CFR 63.11225(a)(2), as specified in §63.9(b)(2), submit the Initial Notification no later than 120 calendar days after May 20, 2011 or within 120 days after the source becomes subject to the standard. In accordance with 40 CFR 63.9(b)(2), the notification shall include the following information: (i) the name and address of the owner or operator; (ii) the address (i.e., physical location) of the affected source; (iii) an identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date; (iv) a brief description of the nature, size, design and method of operation of the source and an identification of the types of hazardous air pollutants emitted; and (v) a statement of whether the affected source is a major source or area source. |
| | 10) In accordance with 40 CFR 63.11225(a)(4), you must submit the Notification of Compliance Status in accordance with §63.9(h) no later than July 19, 2012. In addition to the information required in §63.9(h)(2), your notification must include the following certification of compliance, and signed by a responsible official: "This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boiler." And, for any energy assessment applicable emission unit, notification must be given no later than July 19, 2014 and the notification must include the following certification of compliance, and signed by a responsible official: "This facility has had an energy assessment performed according to §63.11214(c)". |
| | 11) In accordance with 40 CFR 63.11223(b)(6), submit, if requested by the Administrator, biennial report containing the following information; (i) the concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler, (ii) a description of any corrective actions taken as a part of the tune-up of each boiler, and (iii) the type and amount of fuel used over the 12 months prior to the biennial tune-up of the boiler. |
| | 12) In accordance with 40 CFR 63.11225(g), if you intend to switch fuels, and this fuel switch may result in the applicability of a different subcategory or a switch out of subpart JJJJJ due to a switch to 100 percent natural gas, you must provide 30 days prior notice of the date upon which you will switch fuels. The notification must identify: (1) the name of the owner or operator of the affected source, the location of the source, the boiler(s) that will switch fuels, and the date of the notice. (2) The currently applicable subcategory under this subpart. (3) The date on which you became subject to the current applicable standards. (4) The date upon which you will commence the fuel switch. |
| | 13) In accordance with 40 CFR §63.11225(b), submit to the delegated authority upon request, a biennial compliance report including (1) company name and address, (2) statement by a responsible official, with the official's name, title, phone number, e-mail address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart, and (3) if the source experiences any deviations from the applicable requirements during the reporting period, including a description of deviations, the time periods during which the deviations occurred, and the corrective actions taken. Prepare the first Biennial Compliance Certification Report by March 1, 2015 with subsequent reports prepared biennially by March 1 st . |
| Facility-wide | 14) Submit a Source Registration/Emission Statement form to MassDEP on an annual basis as required by 310 CMR 7.12. |
| | 15) Submit a Greenhouse Gas Report to MassDEP by April 15 th of each year as required by 310 CMR 7.71(5) and (6). |
| | 16) Upon MassDEP's request, any record relevant to the Operating Permit or to the emissions of any |

| Table 6 | |
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| EMISSION UNIT | REPORTING REQUIREMENTS |
| | air contaminant from the facility shall be submitted to MassDEP within 30 days of the request by MassDEP or within a longer time period if approved by MassDEP, pursuant to 310 CMR 7.00 Appendix C(10)(a) incorporated herein by reference. |
| | 17) Submit by January 30 and July 30 for the previous six months respectively, a Semi-Annual Monitoring Summary and Certification with all monitoring data and related supporting information to MassDEP as required in 310 CMR 7.00 Appendix C(10)(c). |
| Facility-wide | 18) Submit Annual Compliance report to MassDEP and EPA by January 30 of each year and as required in 310 CMR 7.00 Appendix C(10)(c). |
| | 19) Promptly report to MassDEP all instances of deviations from permit requirements (including but not limited to testing for efficient operation, fuel sulfur and fuel ash content emission limitations/standards, Standard Operating and Maintenance Procedures) by telephone or fax, within three days of discovery of such deviation, as provided in 310 CMR 7.00: Appendix C(10)(f) (See General Condition 25). |
| | 20) All required reports must be certified by a responsible official as provided in 310 CMR 7.00:Appendix C(10)(h). |

C. GENERAL APPLICABLE REQUIREMENTS

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

D. REQUIREMENTS NOT CURRENTLY APPLICABLE

The Permittee is currently not subject to the following requirements:

| Table 7 | |
|-------------------|----------------|
| Regulation | Reason |
| 40 CFR Part 64 | Not Applicable |

5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to the following special terms and conditions that are not contained in Tables 3, 4, 5, and 6:

| Table 8. | |
|---|--|
| Special Terms and Conditions | |
| EU1, EU2, EU3, EU4, EU5, EU6, EU13, EU14, EU22, EU29, EU30, EU31, EU66, EU67, EU100, EU101, EU102, EU103, EU104, EU105, EU106, EU107, EU108 | 1) Emission units are subject to the requirements of 40 CFR 63.1-16, Subpart A, "General Provisions" as indicated in Table "8" to Subpart JJJJJ of 40 CFR 63. Compliance with all applicable provisions therein is required. |
| EU33, EU50, EU51, EU53, EU54, EU55, EU56 | 2) In accordance with 40 CFR 60.4211(c), if the Permittee is an owner or operator of a 2007 model year and later stationary compression ignition internal combustion engine and must comply with the emission standards specified in §60.4205(b), you must comply by purchasing an engine certified to the emission standards in §60.4205(b) for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications. 3) In accordance with 40 CFR 60.4211(a), the Permittee must operate and maintain each stationary compression ignition internal combustion engine according to the manufacturer's emission-related written instructions; change only those emission-related settings that are permitted by the manufacturer; and meet the requirements of 40 CFR parts 89, 94 and /or 1068, as they apply to you. 4) Pursuant to 40 CFR 63.6590(c), meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR 60 Subpart IIII, for compression ignition engines. No further requirements apply for such engines under 40 CFR 63 Subpart ZZZZ. |
| EU60 | 5) Pursuant to 40 CFR 63.6590(c), meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR 60 Subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under 40 CFR 63 Subpart ZZZZ. |
| EU6 | 6) That the Permittee shall restrict air emissions from Boiler No. 6 (EU6) to less than or equal to 1.6 tons of NOx per month and 3.34 tons of NOx per twelve month rolling calendar period in accordance with Approval MBR-04-COM-005. 7) In order to verify that the Permittee does not exceed the emission limits listed in Condition No. 5 above, the Permittee shall maintain on-site adequate monthly records to document the above. These records shall list the actual amount of fuel used per month and the actual NOx emissions for the previous 12 months (the total of the current month's emissions plus the emissions from the 11 months preceding the current month)., Records of the above emission rates shall be maintained on-site for at least the five (5) most recent years, and shall be made available to MassDEP personnel upon request (See attached On-Site Record Keeping Form for an example of a format that is acceptable to MassDEP. An electronic version of this form in Microsoft Excel format can be obtained at http://www.mass.gov/dep/air/approvals/aqforms.htm#report) in accordance with Approval MBR-04-COM-005. 8) That the Permittee shall install, calibrate, maintain, and operate opacity monitoring/recording equipment and alarms to service Boiler No. 6 (EU6) in sufficient manner to ensure continuous and accurate operation at all times in accordance with Approval MBR-04-COM-005. 9) That the Permittee shall post copies of the Conditional Approval letter governing EU6 adjacent to EU6 in accordance with Approval MBR-04-COM-005. 10) A copy of the Standard Operating and Maintenance Procedures for EU6 shall be located at or nearby the subject equipment in accordance with Approval MBR-04-COM-005. |

| Table 8. | | | | |
|-------------------------------------|---|--------------------------------|---|---------------------------|
| Special Terms and Conditions | | | | |
| EU4, EU5, EU6 | 11) That the Permittee shall comply with the requirements of 40 CFR Part 60, Subpart Dc. Subpart Dc, 60.48c, which requires that the owner or operator of boilers such as EU6 must keep records and submit certain information to EPA New England Region I, 5 Post Office Square, Suite 100, Mail Code: OEP05-2, Boston MA 02109 - 3912 in accordance with Approval MBR-04-COM-005. | | | |
| Facility-wide | 12) That should any nuisance condition(s) be generated by the operation of this facility, then appropriate steps shall immediately be taken by the Permittee to abate said nuisance condition(s) (State Only 310 CMR 7.01(1)). | | | |
| | 13) Any net NOx emissions increase occurring over a period of five consecutive calendar years which equates to 25 or more tons of NOx shall become subject to Non-attainment Review, as per the requirements of 310 CMR 7.00: Appendix A in accordance with Approval MBR-04-COM-005. | | | |
| | 14) Per data as supplied through the Permittee's Operating Permit Application (MBR-95-OPP-095, Transmittal No. 116190) and its Operating Permit Renewal Application (MBR-95-OPP-095R, Transmittal No. W059861), the following EUs shall continue to emit products of combustion through the following flue with the following parameters: | | | |
| | EMISSION UNIT | STACK HEIGHT (Feet) | STACK EXIT DIAMETER (Feet) | STACK MATERIAL |
| | EU1, EU2, EU3, EU4, EU5, EU6 | 138 | 5 | Refractory Lined |
| | 15) The Permittee has indicated that it is subject to, and complying with, the requirements of 310 CMR 7.16, U Reduction of Single Occupant Commuter Vehicle Use. The Permittee shall continue to comply with 310 CMR 7.16. | | | |
| | 16) The Permittee shall allow MassDEP personnel access to the plant site, buildings, and all pertinent records at all reasonable times for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records in accordance with Approval MBR-04-COM-005. | | | |

6. ALTERNATIVE OPERATING SCENARIOS

| Table 9. |
|--|
| Alternative Operating Scenarios |
| The Permittee did not request alternative operating scenarios in its Operating Permit application. |

7. **EMISSIONS TRADING**

| Table 10. | |
|---|--|
| Emissions Trading | |
| (a) Intra-facility emissions trading | |
| The Permittee did not request intra-facility emissions trading in its Operating Permit application. | |
| (b) Inter-facility emissions trading | |
| The Permittee did not request inter-facility emissions trading in its Operating Permit application. | |

8. **COMPLIANCE SCHEDULE**

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5. In addition, the Permittee shall comply with any applicable requirements that become effective during the permit term.

GENERAL CONDITIONS FOR OPERATING PERMIT

9. **FEES**

The Permittee has paid the Permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

10. **COMPLIANCE CERTIFICATION**

All documents submitted to MassDEP shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01 (2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The "Operating Permit Reporting Kit" contains instructions, and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The "Operating Permit Reporting Kit" is available to the Permittee via MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#report>.

(a) Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this Permit. The report shall be postmarked or delivered by January 30 to MassDEP and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the Permit that are the basis of the certification;
- ii. the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- iv. any additional information required by MassDEP to determine the compliance status of the source.

(b) Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in compliance with the requirements of this Permit. The report shall be postmarked or delivered by January 30 and July 30 to MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the Permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;

- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by MassDEP to determine the compliance status of the source.

11. NONCOMPLIANCE

Any noncompliance with a Permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act, and is grounds for enforcement action, for Permit termination or revocation, or for denial of an Operating Permit Renewal application by MassDEP and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00; and civil penalties under M.G.L. c.111, §142A and 142B. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

12. PERMIT SHIELD

(a) This facility has a permit shield provided that it operates in compliance with the terms and conditions of this Permit. Compliance with the terms and conditions of this Permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the Permittee's application and as identified in this Permit.

Where there is a conflict between the terms and conditions of this Permit and any earlier Approval or Permit, the terms and conditions of this Permit control.

(b) MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.

(c) Nothing in this Permit shall alter or affect the following:

- (i) the liability of the source for any violation of applicable requirements prior to or at the time of Permit issuance.
- (ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
- (iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.02(8)(i), 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22, 7.70, and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A.

All other terms and conditions contained in this Permit, including any provisions designed to limit a facility's potential to emit, are enforceable by MassDEP, EPA and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

14. PERMIT TERM

This Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date 5 years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the facility's emission units, control equipment or associated equipment covered by this Permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

15. PERMIT RENEWAL

Upon MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by MassDEP on the renewal application.

In the event MassDEP has not taken final action on the Operating Permit Renewal application prior to this Permit's expiration date, this Permit shall remain in effect until MassDEP takes final action on the renewal application, provided that a timely and complete Renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

16. REOPENING FOR CAUSE

This Permit may be modified, revoked, reopened, and reissued, or terminated for cause by MassDEP and/or EPA. The responsible official of the facility may request that MassDEP terminate the facility's Operating Permit for cause. MassDEP will reopen and amend this Permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the Permittee for an Operating Permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any Operating Permit condition.

17. DUTY TO PROVIDE INFORMATION

Upon MassDEP's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to MassDEP copies of records that the Permittee is required to retain by this Permit.

18. DUTY TO SUPPLEMENT

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the Permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a Final Permit.

The Permittee shall promptly, on discovery, report to MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to MassDEP.

19. TRANSFER OF OWNERSHIP OR OPERATION

This Permit is not transferable by the Permittee unless done in accordance with 310 CMR 7.00: Appendix C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the Permit is necessary and provided that a written agreement containing a specific date for transfer of Permit responsibility, coverage and liability between current and new Permittee, has been submitted to MassDEP.

20. PROPERTY RIGHTS

This Permit does not convey any property rights of any sort, or any exclusive privilege.

21. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of MassDEP, and EPA to perform the following:

- (a) enter upon the Permittee's premises where an Operating Permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this Permit;
- (b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- (c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- (d) sample or monitor at reasonable times any substances or parameters for the purpose of assuring compliance with the Operating Permit or applicable requirements as per 310 CMR 7.00 Appendix C(3)(g)(12).

22. PERMIT AVAILABILITY

The Permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the Permit, including any amendments or attachments thereto, upon request by MassDEP or EPA.

23. SEVERABILITY CLAUSE

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based¹ emission limitations specified in this Permit as a result of an emergency². In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (a) an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- (b) the permitted facility was at the time being properly operated;
- (c) during the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and
- (d) the Permittee submitted notice of the emergency to MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response, immediate notification to the appropriate parties should be made as required by law.

25. PERMIT DEVIATION

Deviations are instances where any Permit condition is violated and not reported as an emergency pursuant to section 24 of this Permit. Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6. of this Operating Permit shall supercede the following deviation reporting requirements, if applicable.

The Permittee shall report to MassDEP's Regional Bureau of Waste Prevention the following deviations from Permit requirements, by telephone or fax, within three (3) days of discovery of such deviation:

- Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.

¹ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

² An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

- Exceedances of parameter limits established by your Operating Permit or other Approvals, where the parameter limit is identified by the Permit or Approval as surrogate for an emission limit.
- Exceedances of Permit operational limitations directly correlated to excess emissions.
- Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other Approvals.
- Failure to perform QA/QC measures as required by your Operating Permit or other Approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the Permittee via MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#report>. This report shall include the deviation, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone or fax within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations, which do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

26. OPERATIONAL FLEXIBILITY

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the Permit and in compliance with all applicable requirements provided the Permittee gives the EPA and MassDEP written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(h) and (i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's Permit. The Permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

27. MODIFICATIONS

(a) Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).

(b) Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).

(c) Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).

(d) No Permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this Operating Permit. A revision to the permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an Operating Permit revision under any other applicable requirement.

28. OZONE DEPLETING SUBSTANCES

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

- A. The Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
- 1) All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.
 - 2) The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
 - 3) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
 - 4) No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.
- B. The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVAC) in Subpart B:
- 1) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
 - 2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.
 - 3) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - 4) Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.
 - 5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
 - 6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

- C. If the Permittee manufactures, transforms, imports or exports a class I or class II substance, the Permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, "Production and Consumption Controls".
- D. If the Permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the Permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners". The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.
- E. The Permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

29. PREVENTION OF ACCIDENTAL RELEASES

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.

APPEAL CONDITIONS FOR OPERATING PERMIT

This Permit is an action of the MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this Permit. In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C(6), with respect to the MassDEP's final action on operating permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a Permit.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the Permit is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

The Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency) county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

The MassDEP may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.